

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT K. DECKER,
Plaintiff,

v.

LILITA INFANTE, *et al.*,
Defendants.
_____ /

Case No.: 19-11654

Stephanie Dawkins Davis
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

ORDER GRANTING PLAINTIFF'S MOTION TO EXTEND (ECF No. 89)

Plaintiff Robert Decker filed this *Bivens* action on June 5, 2019, without the assistance of counsel and proceeding *in forma pauperis*. (ECF No. 1). Defendant Stephen Popp moved to dismiss on March 24, 2022. (ECF No. 84). The Court ordered Plaintiff to file a response to that motion by June 13, 2022. (ECF No. 87). On June 6, 2022, Plaintiff filed a motion to extend that deadline by 60 days. (ECF No. 89). Defendant Popp did not respond.

Federal Rule of Civil Procedure 6(b)(1)(A) permits the court to extend the time to act if good cause is shown where, as here, the request is made before the time to act has expired. In support of his motion, Plaintiff explains he has limited access to the law library and writing tools pending his transfer. (ECF No. 89, PageID.600). Plaintiff made his request before his response was due. There is therefore good cause to extend the deadline. For these reasons, Plaintiff's request for an extension to file a response (ECF No. 89) is **GRANTED**. Plaintiff will have

until **August 12, 2022** to file his response brief. Defendant Popp may file a reply brief within 14 days of service of the response. Should any of the parties require more time to meet their respective deadlines, they may file a motion seeking an extension of their deadline demonstrating good cause for an extension.

IT IS SO ORDERED.

The parties to this action may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: June 13, 2022

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 13, 2022 by electronic means and/or ordinary mail.

s/Kristen MacKay
Case Manager
(810) 341-7850